

1 THE HONORABLE RICHARD A. JONES
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13 UNITED STATES DISTRICT COURT
14 WESTERN DISTRICT OF WASHINGTON
15 AT SEATTLE

16 BOMBARDIER INC.,
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19 Plaintiff,
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21 v.
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23 MITSUBISHI AIRCRAFT
24 CORPORATION, MITSUBISHI
25 AIRCRAFT CORPORATION AMERICA,
26 INC., et al.,
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28 Defendants.
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32 2:18-cv-1543 RAJ
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35 DECLARATION OF MARY Z. GASTON
36 CERTIFYING COMPLIANCE WITH
37 LOCAL RULE 5(g)(1)(A) AND (3)(A) IN
38 SUPPORT OF SUR-REPLY/MOTION TO
39 STRIKE

40 NOTE ON MOTION CALENDAR:
41 Friday, January 4, 2018
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52 Mary Z. Gaston declares:

53 1. I am a partner in the law firm of Perkins Coie LLP and counsel for Defendant
54 Mitsubishi Aircraft Corporation America, Inc. (“MITAC America”) in this action. I make this
55 declaration based on personal knowledge of the events and matters described herein.

56 2. Pursuant to Local Rule 5(g)(1)(A) and (3)(A), MITAC America, by and through
57 its undersigned attorney, hereby certifies that it met and conferred with Bombardier to try and
58 reach an agreement on the need to file a Sur-reply and Motion to Strike Footnote 1 from
59 Bombardier’s Reply in Support of Motion for Preliminary Injunction. The parties discussed the
60 bases for the motion and explored alternatives to filing the motion in an attempt to minimize the
61 amount of material filed with the Court. This discussion took place in person on January 8, 2019

62 DECLARATION OF MARY Z. GASTON CERTIFYING
63 COMPLIANCE WITH LOCAL RULE 5(G)(1)(A) AND (3)(A) IN
64 SUPPORT OF SUR-REPLY/MOTION TO STRIKE
65 (NO. 18-CV-1543 RAJ) – 1
66 121153-0002/142865533.1

67 Perkins Coie LLP
68 1201 Third Avenue, Suite 4900
69 Seattle, WA 98101-3099
70 Phone: 206.359.8000
71 Fax: 206.359.9000

1 and participants were Brian McMahon, Lindsay Calkins, and John Whitaker with Christensen
2 O'Connor Johnson Kindness PLLC (on behalf of Bombardier) and Mary Gaston and Jerry
3 Riedinger with Perkins Coie LLP (on behalf of MITAC America). The parties did not reach an
4 agreement.
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10 **I declare under penalty of perjury under the laws of the United States**
11 **that the foregoing is true and correct**
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13 Executed this 10th day of January 2019.
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s/Mary Z. Gaston
Mary Z. Gaston

DECLARATION OF MARY Z. GASTON CERTIFYING
COMPLIANCE WITH LOCAL RULE 5(G)(1)(A) AND (3)(A) IN
SUPPORT OF SUR-REPLY/MOTION TO STRIKE
(NO. 18-CV-1543 RAJ) – 2

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2 **CERTIFICATE OF SERVICE**
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9 I certify under penalty of perjury that on January 10, 2019, I electronically filed the
10 foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of
11 such filing to the email addresses indicated on the Court's Electronic Mail Notice List.
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DATED this 10th day of January 2019.

s/Mary Z. Gaston
Mary Z. Gaston, WSBA No. 27258
Perkins Coie LLP
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Seattle, WA 98101-3099
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Facsimile: 206.359.9000
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CERTIFICATE OF SERVICE
(NO. 18-CV-1543 RAJ) – 1

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